

BI-STATE DEVELOPMENT AGENCY BY THE STATES OF
MISSOURI AND ILLINOIS

NOVEMBER 30, 1995.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mr. HYDE, from the Committee on the Judiciary,
submitted the following

REPORT

[To accompany H.J. Res. 78]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the joint resolution (H.J. Res. 78) to grant the consent of the Congress to certain additional powers conferred upon the Bi-State Development Agency by the States of Missouri and Illinois, having considered the same, report favorably thereon with an amendment and recommend that the joint resolution as amended do pass.

The amendment is as follows:

Strike out all after the resolving clause and insert in lieu thereof the following:

That (a) the consent of Congress is hereby given to the additional powers conferred on the Bi-State Development Agency of the Compact Between Missouri and Illinois approved under the Joint Resolution of August 31, 1950 (64 Stat. 568) by section 70.378 of the Act of May 26, 1993 (1993 Mo. Laws 382) and section 5 of Public Act 88-611, Laws of Illinois 1994.

(b) The powers consented to in subsection (a) and conferred by the laws referred to in such subsection shall take effect on January 1, 1995.

SEC. 2. The provisions of the Joint Resolution of August 31, 1950 (64 Stat. 568) shall apply to the additional powers approved under this joint resolution to the same extent as if such additional powers were conferred under the provisions of the compact consented to in such Joint Resolution.

SEC. 3. The right to alter, amend, or repeal this joint resolution is expressly reserved.

SEC. 4. The right is hereby reserved to the Congress to require the disclosure and furnishings of such information or data by the Bi-State Development Agency as is deemed appropriate by the Congress.

SUMMARY AND PURPOSE

H.J. Res. 78 grants congressional consent to certain amendments to the compact between Missouri and Illinois creating the Bi-State Development Agency and the Bi-State Metropolitan District.

BACKGROUND AND NEED FOR THE LEGISLATION

States often enter into compacts with one or several other states in order to facilitate common responsibilities or interests. However, Article I, Section 10, Clause 3 of the United States Constitution provides that:

No State shall, without the consent of Congress * * *
enter into any Agreement or Compact with another State,
or with a foreign power * * *.

Congressional consent is required for such agreements or compacts in order to insure that national interests or those of other states are not adversely affected.

H.J. Res. 78 would give Congressional consent to the granting of certain additional powers to the Bi-State Development Agency by Missouri and Illinois. The original compact was approved by Congress in 1950 as Public Law 743 (64 Stat. 568) and resulted in the establishment of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District. The Bi-State Agency was intended to promote planning, development and transportation in the area surrounding St. Louis on both the Missouri and Illinois sides of the Mississippi River and it was given specified power to facilitate such activities. Article III of the compact provided that the Agency could exercise such additional powers as were conferred upon it by the Missouri and Illinois legislatures and approved by the Congress.

In July of 1993, the Agency began operating a light rail system passing through several municipalities and counties, and crossing state boundaries. However, the original compact did not grant the Agency the specific authority to appoint or employ a security force or to enact rules and regulations governing fare evasion or other conduct on its facilities and conveyances. Consequently, the Agency has had difficulty insuring that fare evasion and other prohibited conduct is uniformly punished. In addition, issues have arisen regarding the jurisdiction of local law enforcement to arrest persons for conduct occurring on the system. The Agency sought from its respective legislatures power to employ personnel to maintain safety and order and to enforce Agency rules and regulations. In addition, the Agency sought the authority to adopt rules and regulations for proper operation of its passenger transportation facilities and for users of the system. Missouri in 1993¹ and Illinois in 1994² by law approved the granting of these powers. There is no known controversy.

HEARINGS

The Committee's Subcommittee on Commercial and Administrative Law held a hearing on H.J. Res. 78 on October 19, 1995. Testi-

¹ Section 70.378 of the Act of May 26, 1993 (1993 M. Laws 382).

² Section 5 of Public Act 88-611, Laws of Illinois 1994.

mony was received from U.S. Representative James M. Talent of Missouri.

COMMITTEE CONSIDERATION

On October 19, 1995, the Subcommittee on Commercial and Administrative Law met in open session and ordered reported the bill H.J. Res. 78, as amended by a voice vote, a quorum being present. On October 31, 1995, the Committee met in open session and ordered reported the bill H.J. Res. 78 with an amendment in the nature of a substitute by voice vote, a quorum being present.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 2(l)(3)(A) of rule XI of the Rules of the House of Representatives, the Committee reports that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives are incorporated in the descriptive portions of this report.

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT FINDINGS

No findings or recommendations of the Committee on Government Reform and Oversight were received as referred to in clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 2(l)(3)(B) of House rule XI is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

In compliance with clause 2(l)(C)(3) of rule XI of the Rules of the House of Representatives, the Committee sets forth, with respect to H.J. Res. 78, the following estimate and comparison prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, November 6, 1995.

Hon. HENRY J. HYDE,
Chairman, Committee on the Judiciary, House of Representatives,
Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.J. Res. 78, as ordered reported by the House Committee on the Judiciary on October 31, 1995. H.J. Res. 78 would give Congressional consent to certain additional powers conferred upon the Bi-State Development Agency by the States of Missouri and Illinois. CBO estimates that enacting this legislation would result in no cost to the federal government and no direct cost to state or local governments.

The joint resolution would grant the Bi-State Development Agency power to adopt rules and regulations for proper operation of its passenger transportation facilities. The states of Missouri and Illi-

nois already have approved these additional powers. Enacting H.J. Res. 78 would not affect direct spending or receipts. Therefore, pay-as-you-go procedures would not apply to this legislation.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz.

Sincerely,

JUNE E. O'NEILL,
Director.

INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(l)(4) of rule XI of the Rules of the House of Representatives, the Committee estimates that H.J. Res. 78 will have no significant inflationary impact on prices and costs in the national economy.

SECTION-BY-SECTION ANALYSIS

Sec. 1. This section gives consent of Congress to granting additional powers to the Bi-State Development Agency (established pursuant to the Compact between Missouri and Illinois approved by the Congress by the Joint Resolution of August 31, 1950 (64 Stat. 568)). These additional powers were conferred on the Agency pursuant to actions of Missouri (section 70.378 of the Act of May 26, 1993 (1993 Mo. Laws 382)) and Illinois (section 5 of Public Act 88-611, Laws of Illinois 1994).

Subsection 1(b) provides that the powers conferred under the Acts consented to in subsection 1(a) shall take effect on January 1, 1995.

Sec. 2. Section 2 applies the Joint Resolution that established the original compact between Missouri and Illinois (64 Stat. 568) to the additional powers approved under H.J. Res. 78 to the same extent as if these had been consented to in the original Joint Resolution.

Sec. 3. Section 3 expressly reserves the right to alter, amend, or repeal the compact as amended and approved by H.J. Res. 78.

Sec. 4. Section 4 reserves to the Congress the right to require the Bi-State Development Agency to disclose and furnish appropriate information and data.